

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:11-CR-00336-RJC

USA

v.

ANTONIO MOSLEY

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ORDER

THIS MATTER is before the Court upon motions of the defendant pro se, (Doc. Nos. 121, 130, 137), to reconsider, pursuant to Rule 60(b) of the Federal Rules of Civil Procedure, an Order, (Doc. No. 97), allowing for the return of a cell phone seized by law enforcement.

The gravamen of the defendant's complaint is that he desired for law enforcement to mail the phone to his designee, where the Order directed the designee to make arrangements to take custody of the phone from the Charlotte Mecklenburg Police Department within 30 days of the Order's issuance or it would be considered abandoned property. (Compare Doc. No. 121: Motion at 5 with Doc. No. 97: Order at 1). However, Rule 60(b) of the Federal Rules of Civil Procedure does not provide a way to challenge judgment in a criminal case. United States v. Jones, 730 F. App'x 172 (4th Cir. 2018).

IT IS, THEREFORE, ORDERED that the defendant's motions, (Doc. No. 121, 130, 137), are **DISMISSED**.

The Clerk is directed to certify copies of this Order to the defendant and the United States Attorney.

Signed: August 29, 2018



Robert J. Conrad, Jr.
United States District Judge

